

CONVENTION ON INTERNATIONAL TRADE IN ENDANGERED SPECIES  
OF WILD FAUNA AND FLORA

---

Twelfth meeting of the Conference of the Parties  
Santiago (Chile), 3-15 November 2002

Committee I meeting

Seventh session: 8 November 2002: 14h10-15h55

Chairman: D. Morgan (United Kingdom)

Secretariat: W. Wijnstekers  
J. Armstrong  
T. De Meulenaer  
M. Lindeque

Rapporteurs: T. Inskipp  
A. St. John

On a point of order, the delegation of Mexico requested clarification from the Chairman regarding the number of individuals from a delegation permitted to participate in a working group. The Chairman confirmed that under his ruling only one member of a delegation was permitted to participate in a working group, but that an additional individual could attend as an observer, at the discretion of the chairman of the working group. The Secretary-General confirmed this with excerpts from the Rules of Procedure.

**Interpretation and implementation of the Convention**

Amendment of the Appendices

58. Criteria for amendment of the Appendices I and II

The Chairman provided the names of the participants of the criteria working group as follows:

Region	Party	Non-governmental organization
Africa	H. Oosthuizen (South Africa) M. Maurihungirire (Namibia)	C. Mlay (Wildlife Conservation Foundation of Tanzania)
Asia	Y. Kaneko (Japan) Y. Zhao (China)	A. Macfarlane (International Coalition of Fisheries Association)
Central and South America and the Caribbean	V. Lichtschein (Argentina) M. Isaacs (Bahamas)	S. Lieberman (World Wildlife Fund)
Europe	A. Bjorge (Norway) C. Ó Críodáin (European Union on behalf of Denmark)	D. Butterworth (IWMC-World Conservation Trust)
North America	P. Mace (United States of America)	R. Orenstein (International Wildlife Coalition)
Oceania	J. Annala (New Zealand) M. Trimmer (Australia)	G. Webb (Wildlife Management International)

The following were also designated as participants in the Working Group:

- M. Hoogmoed (Chair – Animals Committee)
- M. Clemente (Chair – Plants Committee)
- R. Jenkins (Chair – Criteria Working Group)
- A. Rosser (IUCN–The World Conservation Union)
- K. Cochrane (The Food and Agriculture Organization of the United Nations)

IUCN was also asked to chair the meeting.

## **Consideration of proposals for amendment of Appendices I and II**

### **66. Proposals to amend Appendices I and II**

The Chairman announced the results of the secret ballot vote on proposal Prop. 12.5, to transfer Bryde's Whales, *Balaenoptera edeni* western North Pacific Stock from Appendix I to Appendix II with an annotation and export quota to meet the precautionary measures of Annex 4 of Resolution Conf. 9.24. The result of the vote was 43 in favour, 63 against and 3 abstentions and so the proposal was rejected. The delegation of the United States of America requested the opportunity to explain its vote on proposals Prop. 12.4 and Prop. 12.5. They noted that they had voted "No" to both proposals and indicated that they had shared this information because they believed the proceedings of the meeting should be open and transparent, and did not support secret ballot voting.

### **Exemptions and special trade provisions**

### **55. Operations that breed Appendix-I species in captivity for commercial purposes**

#### **b) Applications to register operations that breed Appendix-I animal species for commercial purposes**

The Secretariat introduced document CoP12 Doc. 55.2, in which two Parties had submitted applications for the inclusion of species in the *Register of operations that breed Appendix-I species in captivity for commercial purposes*. Noting that these operations bred species that had not yet been included in the Register, the Secretariat also outlined the process for reviewing the applications.

The Chairman invited questions regarding the application review procedure. The delegation of Israel raised concerns that such applications should be reviewed according to the criteria set out in Resolution Conf. 8.15 since the list of species in Annex 3 of Resolution Conf. 11.14 had not yet been agreed. The Secretariat clarified that in Notification to the Parties No. 2001/006, it had informed the Parties Resolution Conf. 11.14 should be used in reviewing applications to register commercial breeding operations. It further noted that Resolution Conf. 8.15 would be repealed once Annex 3 of Resolution Conf. 11.14 was agreed.

The Secretariat then introduced the application from South Africa to register a captive-breeding operation for cheetah *Acinonyx jubatus*. The Secretariat noted that objections to the registration of this facility had been received from Kenya and the United States. The delegation of the United States indicated that its understanding was that the facility acted as a rescue centre for nuisance animals and questioned how it could function as a closed breeding facility if wild specimens were regularly added. These comments were supported by the delegation of India. The delegation of Kenya noted its concerns regarding the source of animals used in the breeding operation and the difficulty in identifying captive-bred animals. The delegation of Denmark on behalf of the Member States of the EU stated that they believed that the criteria in Resolution Conf. 11.14 had been met. The delegations of Botswana, Uganda and the United Republic of Tanzania expressed support for

the application. The delegation of South Africa responded that the facility had originally started as a captive-breeding facility and that wild animals received at the facility were kept for a period of time and then released. They further noted that the wild specimens retained in the facility were those that had been injured and could not be released, and that all the animals in the facility were fitted with microchips. In conclusion, they noted that there was a demand for captive-bred cheetahs in zoos and safari parks, and that the species had been removed from the Red Data list for South Africa. The delegations of Kenya and the United States noted that their concerns had been addressed and they had no further objection to the register of this facility. The Committee agreed that the proposed registration could proceed.

The Secretariat then introduced the application to register a captive-breeding operation for green turtle *Chelonia mydas*, submitted by the United Kingdom. Noting that the objections received to this application were on points of principle, the Secretariat indicated that resolution would require discussion here. The delegation of Israel raised a number of concerns highlighting the rarity of the species in the wild, the potential stimulation of illegal trade resulting from the registration of this facility, the security of the facility, and the source of the founder stock. The delegation of the United States added that they also had concerns about the mixing of genetic stock in the facility and the potential for disease transmission to wild populations. Similar concerns were expressed by the delegations of the Bahamas and Barbados. The delegations of Costa Rica, Nicaragua and Mexico stated that the legal origin of founder stock specimens that had been collected in their countries was unclear.

In response to the concerns raised, the delegation of the United Kingdom noted that exports would be confined to whole, uniquely marked carapaces as personal effects. Following a hurricane, the facility had been rebuilt upland in a more secure area, and acknowledging the difficulty in obtaining historical collection records, they pointed out that the founder stock was all pre-Convention. In response to concerns regarding disease transmission, they reported that the facility had been evaluated by an independent inspector who had concluded that the potential for disease transmission was minimal. Finally, they confirmed that they would work with the United States to ensure that individuals going to or transiting through the United States would not be able to buy products from the facility. The delegations of Indonesia and Japan noted their support for the application.

The Chairman called for a vote, and this was carried out by a roll call. The result of the vote was 38 in favour, 24 against and 48 abstentions. Lacking the two-thirds majority required, approval of the application was denied.

The session was adjourned at 15h55.